

Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Switzerland

Introduction

1. The Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime. Maintaining its integrity is key to international security. All States parties to the Treaty share the responsibility to uphold its credibility.
2. Switzerland is of the view that the 64 actions contained in the action plan and the practical steps for the Middle East adopted by the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, together with the Final Documents of the 1995 and 2000 Review Conferences, represent the Treaty's latest acquis. Switzerland is also of the view that the action plan should not be viewed as an end in itself, but rather as a time-bound means of moving towards the full implementation of these commitments. Transforming this acquis into concrete results will be essential for upholding the Treaty's credibility.
3. Step 12 of the 13 practical steps agreed to by all States parties to the Treaty at the 2000 Review Conference calls for regular reports, within the framework of the strengthened review process for the Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament". This call was reiterated in action 20 of the action plan. In line with this commitment, and with a view to enhancing transparency and building confidence, Switzerland submits the present report on aspects related to its implementation of the Treaty, of the 13 practical steps and of the action plan.

Implementation of obligations and commitments across the pillars

4. Switzerland strongly believes that obligations and commitments under all three pillars are inextricably linked, which is why unfulfilled commitments under any of the pillars could have a negative impact on the other pillars. Switzerland is of the



view that, while much has been achieved with regard to non-proliferation and peaceful use, efforts regarding nuclear disarmament need to be accelerated significantly in the interests of the credibility of the Treaty. Switzerland is also convinced that the continued possession of nuclear weapons by some States may increase the risk of nuclear proliferation.

5. Switzerland has been supporting a project by Reaching Critical Will, the disarmament programme of the Women's International League for Peace and Freedom, a non-governmental organization, aimed at monitoring the implementation of the action plan in the form of a yearly report. The 2012 report was presented at a side event on the margins of the first session of the Preparatory Committee, held in 2012. In 2013, an updated report was released several weeks ahead of the second session of the Preparatory Committee and presented at a public discussion organized by the Geneva Centre for Security Policy, during which the Centre for Nuclear Non-Proliferation and Disarmament and the James Martin Center for Nonproliferation Studies also presented findings regarding progress and lack thereof in the implementation of the Treaty and the action plan.

6. Switzerland facilitated a retreat organized by the Geneva Centre for Security Policy to discuss *Nuclear Weapons: The State of Play*, a report by the Centre for Nuclear Non-Proliferation and Disarmament that dealt with the implementation of the commitments and recommendations of the action plan, of the nuclear security summits held in 2010 and 2012 and of the 2009 report of the International Commission on Nuclear Non-Proliferation and Disarmament.

7. To support a successful session of the Preparatory Committee in 2013, Switzerland facilitated an event by the Geneva Centre for Security Policy, upon request of the Permanent Mission of Romania to the United Nations Office at Geneva, in support of the Chair of the session, who is Romanian. This builds on previous efforts to support the President of the 2010 Review Conference.

8. Switzerland has, for numerous years, been supporting a disarmament education and training programme by the University for Peace with the aim of serving the professional needs of the diplomats and other actors active in disarmament and non-proliferation issues. In the lead-up to the 2010 Review Conference, Switzerland facilitated a University for Peace course preparing diplomats and other actors for the Review Conference.

Pillar 1 (actions 1 to 23 of the action plan)

9. Switzerland recognizes the efforts made by the nuclear-weapon States to reduce their nuclear arsenals. However, Switzerland has consistently expressed its concern that several thousand nuclear weapons still exist, that some nuclear-weapon States are increasing their nuclear capacity and that all nuclear-weapon States are not only holding on to the logic of nuclear deterrence but also modernizing their nuclear weapons systems. Switzerland continues to urge the nuclear-weapon States to fully implement their obligations under article VI of the Treaty and to engage in good-faith negotiations on further nuclear disarmament steps. Switzerland recalls that non-nuclear-weapon States are to play an active role regarding nuclear disarmament in line with article VI of the Treaty, by which each of the States parties to the Treaty undertook to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear

disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

10. Switzerland is of the view that nuclear weapons do not contribute to international security but represent a grave risk for both international and human security. Switzerland has been actively engaged for several years to progressively delegitimize nuclear weapons. At the 2010 Review Conference, all States parties to the Treaty expressed their deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons. Switzerland coordinated two joint declarations, one at the session of the Preparatory Committee in 2012 and one during the discussions of the First Committee of the General Assembly at its sixty-seventh session, which were supported by 16 and 35 States, respectively. Switzerland has also facilitated various efforts by civil society to advance the humanitarian dimension by highlighting the humanitarian consequences of nuclear weapons and, in particular, the consequences of ever using such weapons again. This includes the studies entitled “Nuclear famine: a billion people at risk” by International Physicians for the Prevention of Nuclear War, “Unspeakable suffering: the humanitarian impact of nuclear weapons” by Reaching Critical Will and “Banning nuclear weapons” by Article 36. Switzerland actively participated in a conference on the humanitarian impact of nuclear weapons, hosted by the Government of Norway on 4 and 5 March 2013, in which Governments, United Nations agencies, international organizations and civil society focused for the first time on the effects of the use of nuclear weapons on human health, the environment, economies and development, among other things. Switzerland welcomes the offer by the Government of Mexico to hold a follow-up conference.

11. Switzerland is deeply concerned at the lack of progress in both the Conference on Disarmament and in the United Nations Disarmament Commission. Switzerland is of the view that the continuing deadlock has weakened the multilateral disarmament system and that this situation is rooted in institutional deficiencies as well as lacking political will. Together with other States, Switzerland has called for a debate on the revitalization of the disarmament machinery, including the Conference. Together with South Africa and the Netherlands, Switzerland put forward General Assembly resolution 66/66, in which States were invited to explore, consider and consolidate options, proposals and elements for such revitalization. A consensus decision adopted by the Assembly at its sixty-seventh session maintains the issue of revitalization of the work of the Conference on the Assembly’s agenda.

12. Switzerland supported and co-sponsored resolution 67/56, on taking forward multilateral nuclear disarmament negotiations, in which the General Assembly decided to establish an open-ended working group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons. Switzerland will actively participate in this process with the aim of moving the disarmament agenda forward and calls upon all States to engage in such efforts, which are fully in accordance with article VI of the Treaty and the unanimous vote by the International Court of Justice in 1996 that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

13. Switzerland is concerned that several hundred nuclear weapons are today still ready to be launched within minutes. In accordance with step 9 of the 13 practical

steps and action 5 (c) of the action plan, Switzerland put forward, together with Chile, Malaysia, Nigeria and New Zealand (the De-alerting Group), during the discussions of the First Committee of the General Assembly in 2010 and 2012, a resolution on decreasing the operational readiness of nuclear weapons systems. *Reducing Alert Rates of Nuclear Weapons*, a recent study prepared under the auspices of the United Nations Institute for Disarmament Research, commissioned by New Zealand and Switzerland and prepared by Hans Kristensen and Matthew McKinzie, was presented during the discussions of the First Committee at the sixty-seventh session of the Assembly. In various forums, Switzerland has argued that such high alert levels are dangerous (accidents, unauthorized launch), not necessary (they vastly exceed current and foreseeable security needs) and contradict ongoing efforts to reduce the role and number of nuclear weapons. Switzerland calls upon the nuclear-weapon States to further reduce the operational status of nuclear weapons systems and is looking forward to their reporting on their undertakings in this regard to the Preparatory Committee in 2014.

14. Switzerland facilitated the publication of a periodical issue of the Nuclear Abolition Forum dedicated to the role of deterrence in security doctrines and thinking. These efforts build on previous efforts facilitated by Switzerland and undertaken by the James Martin Center for Nonproliferation Studies, which had resulted in a 2010 study entitled “Delegitimizing nuclear weapons: examining the validity of nuclear deterrence”.

15. In accordance with action 2 of the action plan, all States parties commit to apply the principles of irreversibility, verifiability and transparency in relation to the implementation of their treaty obligations. Switzerland commissioned two studies on irreversibility in nuclear disarmament by two think tanks. The Verification Research, Training and Information Centre focused on the conceptual, technical and operational aspects of irreversibility and the Stockholm International Peace Research Institute on the political, societal, legal and military-technical dimensions. Switzerland has developed a working paper on this concept in an effort to facilitate discussions on the issue.

16. Switzerland attaches great importance to the prompt launch of negotiations on a treaty banning the production of fissile material for nuclear weapons. Switzerland is of the view that such an instrument should be of a multilateral character, non-discriminatory and effectively verifiable and should cover not only the future production of fissile material but also fissile material that already exists in stocks. Efforts to ban fissile material relate to action 15 of the action plan and Switzerland regrets that the Conference on Disarmament, despite various efforts, has so far been unable to start negotiations on this issue. In 2011 and 2012, Switzerland participated actively in expert-level talks in Geneva on the margins of the Conference. Switzerland also supported resolution 67/53, on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in which the General Assembly requested the Secretary-General to seek the views of Member States and to establish a group of governmental experts to meet for two weeks in 2014 and in 2015 to make recommendations on possible elements of such a treaty.

Pillar 2 (actions 24 to 46 of the action plan)

17. Since its entry into force more than 40 years ago, the Treaty has largely achieved what was expected of it in terms of non-proliferation. The much-feared large-scale proliferation of nuclear arms has not come to pass.

18. Nevertheless, the risk of proliferation is significant, as illustrated by several unresolved cases that continue to challenge the Treaty regime. The international community must therefore redouble its efforts to ensure the ongoing success of this key pillar. In various forums, Switzerland has stated that any future proliferation would raise crucial questions for international peace and stability. More States with nuclear weapons will lead to a less secure world in which the already existing risks with unacceptable catastrophic humanitarian consequences would increase.

19. Switzerland therefore calls upon States that have caused proliferation concerns to fully comply with their non-proliferation obligations by addressing all matters of non-compliance with their safeguards obligations in order to uphold the authority of the safeguards system. Switzerland is convinced that only a diplomatic approach to proliferation cases will lead to a long-term solution acceptable to all sides.

20. Switzerland has consistently underlined the need to universalize safeguards by calling upon all States parties that have not yet done so to bring into force without delay International Atomic Energy Agency (IAEA) comprehensive safeguards for all source or special fissionable material in all their peaceful nuclear activities in accordance with article III of the Treaty. Switzerland urges those States remaining outside the Treaty safeguards system to remedy this situation as a matter of priority. While significant efforts have been made to strengthen the IAEA safeguards system in non-nuclear-weapon States since the entry into force of the Treaty, similar efforts have not been undertaken to strengthen safeguards in the nuclear-weapon States, specifically in support of nuclear disarmament measures. Switzerland therefore calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States.

21. Switzerland has in place a comprehensive safeguards agreement and an additional protocol to its agreement with IAEA. Switzerland is of the view that a comprehensive safeguards agreement together with an additional protocol should constitute the safeguards standard and that such a standard is of great relevance, in particular for States with an advanced nuclear programme. Experience shows that IAEA needs such a combination of tools to provide credible assurances about the absence of undeclared nuclear material and activities within a State. Switzerland welcomes the fact that, as at 3 April 2013, 119 States parties had brought an additional protocol into force. Switzerland encourages all States parties that have not yet done so — in particular those with significant nuclear activities — to conclude and bring into force an additional protocol with IAEA as soon as possible and to implement it provisionally pending its entry into force. Finally, Switzerland would like to stress that comprehensive safeguards agreements and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved.

22. Switzerland is aware of the difficulties concerning a broader acceptability of the additional protocol, because of its voluntary nature. Switzerland has launched different initiatives since the 2010 Review Conference to contribute to more progress in the universalization of the additional protocol and to support current IAEA efforts

to further develop and implement a less mechanistic safeguards system that better takes into account State-specific factors. In this context, Switzerland has supported the conceptual work of the Center for International Security and Arms Control Studies and organized different workshops. The first, held in Switzerland in 2011, gathered several safeguards experts and State representatives to discuss optimizing the IAEA safeguards system. Some of its results have been used for further discussions and were published in a working paper submitted by Switzerland to the Preparatory Committee in 2012 (NPT/CONF.2015/PC.I/WP.50). The second workshop, held in Vienna on 13 and 14 September 2012, discussed strengthening cooperation between IAEA and State or regional systems of accounting for and control of nuclear material. The results were published in a working paper submitted by Switzerland to the Preparatory Committee in 2013 (NPT/CONF.2015/PC.II/WP.33).

23. According to action 32 of the action plan, Switzerland will continue to support the conceptual efforts of IAEA aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards. It is indeed the view of Switzerland that — with the growing commitments of IAEA in the fields of safeguards and nuclear safety and security — it is of the utmost interest for IAEA to focus its efforts where needed and to put in place smarter safeguards.

24. Following a request by the Ministry of Foreign Affairs of Oman, Switzerland conducted, from 4 to 6 March 2013, a workshop in Muscat on strategic goods trade controls. It was a concrete contribution to support a State party in the development of its national export controls in order to ensure that its nuclear-related exports are in full conformity with the objectives and purposes of the Treaty, as stipulated in articles I, II and III. Furthermore, this contribution is of particular importance because the workshop was held in a region that is particularly sensitive in terms of proliferation concerns.

25. Given that it will chair the Organization for Security and Cooperation in Europe in 2014, Switzerland is supporting a project to assist member States in their efforts to build national capacity and create the legislative basis to implement Security Council resolutions 1540 (2004) and 1977 (2011). This project is a concrete contribution to raising regional awareness and fostering closer cooperation among all relevant regional and national stakeholders, as well as to global efforts to facilitate implementation of the resolutions and to strengthen the Organization's expertise and capacity in this respect.

26. Switzerland is convinced that strengthening nuclear security deserves the commitment of all States parties to the Treaty. Switzerland is therefore a State party to the Convention on the Physical Protection of Nuclear Material and to its Amendment, to the International Convention for the Suppression of Acts of Nuclear Terrorism and to the revised Code of Conduct on the Safety and Security of Radioactive Sources. Switzerland is also committed at a high level to the Nuclear Security Summit process and participated in the High-level Meeting on Nuclear Safety and Security held in New York in September 2012. Furthermore, Switzerland is a member of the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction and of the Global Initiative to Combat Nuclear Terrorism.

27. Switzerland is thus convinced that nuclear security is also an issue of a global nature. Switzerland has therefore welcomed the decision of the Director General of IAEA to convene a ministerial conference on nuclear security in July 2013 in

Vienna. Switzerland is actively participating in the informal open-ended consultations to prepare an outcome document of the conference that will take into account the physical protection of all nuclear and other radioactive materials.

28. Switzerland supports the holding of the conference for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. From a global point of view, Switzerland believes that such a conference could be the platform that is sorely lacking in the Middle East for discussing regional security issues in a comprehensive manner.

29. Switzerland has actively supported the facilitator's efforts to prepare the ground for the conference by sponsoring discussions organized by the Geneva Centre for Security Policy on relevant issues related to the implementation of such a zone. Switzerland has also expressed its readiness to host consultations supporting the facilitator's efforts to move forward towards convening the conference as soon as possible.

Pillar 3 (actions 47 to 64 of the action plan)

30. Switzerland is convinced that the best way to ensure that IAEA resources for technical cooperation activities are sufficient, assured and predictable is by placing the Technical Cooperation Fund within the regular budget of IAEA. Accordingly, as it has done in the past, Switzerland continues, in the context of the IAEA General Conference, to raise this issue and to underline the inherent risks generated by any approach promoting extrabudgetary contributions.

31. Switzerland is convinced that nuclear safety is an issue of a global nature and that strengthening nuclear safety deserves the commitment of all States parties to the Treaty. Switzerland is therefore a State party to all international conventions in the field of nuclear safety.

32. Following the Fukushima nuclear accident in March 2011, Switzerland has been active in supporting IAEA efforts to promote the sharing of best practices in the area of nuclear safety and to strengthen the global nuclear safety regime. In this context, Switzerland actively participated in the negotiating process leading to the adoption of the IAEA Action Plan on Nuclear Safety. Switzerland is also convinced that strengthening the global nuclear safety regime will be facilitated by adopting measures of a less voluntary nature. In this spirit, Switzerland is actively committed to the current negotiating process aimed at strengthening the Convention on Nuclear Safety, which was initiated in August 2012 by the Contracting Parties to the Convention at their second extraordinary meeting.